

**EXHIBIT B**

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**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**MASTER SHORT FORM COMPLAINT  
FOR DAMAGES FOR INDIVIDUAL  
CLAIMS**

Plaintiff(s) named below, for their Complaint against Defendants named below,  
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Kenneth Edward Matthews

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of  
consortium claim:

Zonies Law LLC  
1900 Wazee St., #203  
Denver, CO 80202  
(720) 464-5300

1 April Christine Matthews

- 2 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,  
3 conservator):

4 N/A

- 5 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at  
6 the time of implant:

7 North Carolina

- 8 5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at  
9 the time of injury:

10 North Carolina

- 11 6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

12 North Carolina

- 13 7. District Court and Division in which venue would be proper absent direct filing:

14 United States District Court North Carolina Middle District

- 15 8. Defendants (check Defendants against whom Complaint is made):

16 ☒ C.R. Bard, Inc.

17 ☒ Bard Peripheral Vascular, Inc.

- 18 9. Basis of Jurisdiction:

19 ☒ Diversity of Citizenship

20 ☐ Other: \_\_\_\_\_

- 21 a. Other allegations of jurisdiction and venue not expressed in Master  
22 Complaint:

N/A

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

☐ Recovery<sup>®</sup> Vena Cava Filter

☐ G2<sup>®</sup> Vena Cava Filter

☐ G2<sup>®</sup> Express (G2<sup>®</sup>X) Vena Cava Filter

☐ Eclipse<sup>®</sup> Vena Cava Filter

☒ Meridian<sup>®</sup> Vena Cava Filter

☐ Denali<sup>®</sup> Vena Cava Filter

☐ Other: \_\_\_\_\_

11. Date of Implantation as to each product:

August 3, 2013

12. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count I: Strict Products Liability – Manufacturing Defect

☒ Count II: Strict Products Liability – Information Defect (Failure to Warn)

☒ Count III: Strict Products Liability – Design Defect

☒ Count IV: Negligence - Design

☒ Count V: Negligence - Manufacture

- X Count VI: Negligence – Failure to Recall/Retrofit
- X Count VII: Negligence – Failure to Warn
- X Count VIII: Negligent Misrepresentation
- X Count IX: Negligence *Per Se*
- X Count X: Breach of Express Warranty
- X Count XI: Breach of Implied Warranty
- X Count XII: Fraudulent Misrepresentation
- X Count XIII: Fraudulent Concealment
- X Count XIV: Violations of Applicable North Carolina Law Prohibiting  
Consumer Fraud and Unfair and Deceptive Trade Practices
- X Count XV: Loss of Consortium
- ☐ Count XVI: Wrongful Death
- ☐ Count XVII: Survival
- X Punitive Damages
- ☐ Other(s): \_\_\_\_\_ (please state the facts supporting  
this Count in the space immediately below)

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13. Jury Trial demanded for all issues so triable?

X Yes

☐ No

RESPECTFULLY SUBMITTED this 3<sup>rd</sup> day of August, 2016.

**ZONIES LAW LLC**

By: s/ Joseph J. Zonies

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*Attorneys for Plaintiff*

I hereby certify that on this 3<sup>rd</sup> day of August, 2016, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

s/ Jenelle Cox

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

**Civil Cover Sheet**

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the District of Arizona.

**The completed cover sheet must be printed directly to PDF and filed as an attachment to the Complaint or Notice of Removal.**

**Plaintiff(s):** **Kenneth Edward Matthews ; April  
Christine Matthews**

**Defendant(s):** **C.R. Bard, Inc. ; Bard Peripheral  
Vascular, Inc.**

County of Residence: Outside the State of Arizona

County of Residence: Outside the State of Arizona

County Where Claim For Relief Arose: Outside the  
State of Arizona

Plaintiff's Atty(s):

Defendant's Atty(s):

**Joseph J. Zonies  
Zonies Law LLC  
1900 Wazee Street, Suite 203  
Denver, Colorado 80202  
720-464-5300**

II. Basis of Jurisdiction:

**4. Diversity (complete item III)**

III. Citizenship of Principal

Parties (Diversity Cases Only)

Plaintiff:- **2 Citizen of Another State**

Defendant:- **5 Non AZ corp and Principal place of Business outside AZ**

IV. Origin :

**6. Multidistrict Litigation**

V. Nature of Suit:

**365 Personal Injury - Product Liability**

VI. Cause of Action:

**USC SEC. 1332, 1441, 1446**

VII. Requested in Complaint

Class Action: **No**

Dollar Demand:

Jury Demand: **Yes**

VIII. This case **IS RELATED** to Case Number **MDL 2641** assigned to Judge .

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Signature: **s/ Joseph J. Zonies**

Date: **08/03/2016**

**If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the *Back* button in your browser and change it. Once correct, save this form as a PDF and include it as an attachment to your case opening documents.**

Revised: 01/2014